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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,545	07/01/2003	Pierrot Catry	41170-149	4969

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HUSCH & EPPENBERGER, LLC  
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EXAMINER
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BRITTAIN, JAMES R

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# **Interview Summary**

Application No.

10/611,545

Applicant(s)

CATRY ET AL.

Examiner

James R. Brittain

Art Unit

3677

All participants (applicant, applicant's representative, PTO personnel):

(1) James R. Brittain. (3) \_\_\_\_\_

(2) Michael Bokermann (reg. no. 51483). (4) \_\_\_\_\_

Date of Interview: 05 May 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 1 & 10, copy attached.

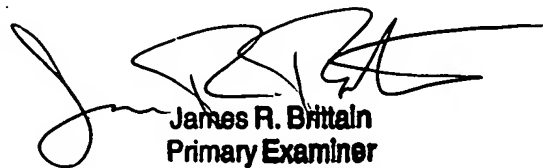
Identification of prior art discussed: Delahousse et al. (FR 2582362).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
James R. Brittain  
Primary Examiner

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Bokermann contacted me for this interview to discuss his proposal. I indicated that the aperture 10 in figure 1 of Delahousse meets the limitation of the through hole as now proposed in claim 1 because the through hole has no orientation in the claim. As to proposed claim 10, there is no orientation of the opening of the channel in the second portion either toward or away from the hooking surface, so I stated that Delahousse would still read thereon, but that if applicant should choose to further amend so that the channel opens away from the hooking surface, then such would appear to avoid Delahousse alone. A further search would be needed for modified claim 10 of such scope and I did not agree that it would be allowable since further search would be required. We discussed other amendments to claim 1 such as the longitudinally extending shaft defining a bore extending longitudinally in the shaft and having an entrance aperture and an exit aperture, but I indicated that such a claim while avoiding Delahousse alone would again require additional searching.

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## Facsimile

**TO:** Examiner James R. Brittain

**FAX NO.:** (571) 273-7065

**FROM:** Mike D. Bokermann

**DATE:** May 04, 2005

**NUMBER OF PAGES INCLUDING THIS COVER SHEET: 5**

**MESSAGE:** RE: U.S. Serial No.: 10/611,545 (Docket No.: 41170-149)

Enclosed please find a draft of the claims with proposed amendments that we can use in conducting the phone interview tomorrow.

Michael D. Bokermann  
Husch & Eppenberger, LLC  
190 Carondelet Plaza  
St. Louis, MO 63105

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Application of: Pierrot Catry	Group No.: 3677
Serial No.: 10/611,545	Atty. Docket No.: 41170-149
Filed: 7/01/2003	
For: Mounting Hook and Wire Array Apparatus and Method	Examiner: James R. Brittain

This document is being submitted for purposes of review during the interview scheduled for tomorrow, May 5, 2005 at 11:00 a.m. (EST). The interview was requested by Applicant to discuss various claim rejections issued by the Examiner in an Office Action dated 2/24/05 for application number 10/611,545 (Mounting Hook and Wire Array Apparatus and Method). Based upon the prior art cited by Examiner, Applicant has drafted the attached proposed amendments. These proposed amendments are not meant to be entered at this time but are merely for discussion purposes.

***Proposed Amendments to the Claims:***

1. (Currently Amended) A mounting hook comprising:
  - a first portion having a wire seating member, wherein said wire seating member is comprised of a longitudinally extending shaft comprising a through hole;
  - a second portion substantially transverse to said first portion and having an aperture;
  - a third portion substantially transverse to said second portion and substantially parallel to said first portion; and
  - said first and third portions being disposed on substantially the same side of said second portion.
  
10. (Currently Amended) A mounting hook comprising:
  - a first portion having a wire seating member;
  - a second portion substantially transverse to said first portion, said second portion having a first side and a second side opposite said first side, said first side having a hooking surface, said second side having a channel;
  - a third portion substantially transverse to said second portion and substantially parallel to said first portion; and
  - said first and third portions being disposed on substantially the same side of said second portion.
  - ~~means for receiving a mounting wire;~~

~~means for keeping said mounting hook rotationally stationary  
relative to the wire; and,  
means for keeping said mounting hook attached to a seat frame.~~

### **Prior Art**

The Examiner has indicated that Delahousse et al. "teaches a mounting hook comprising a means for receiving a mounting wire in the form of a first portion 10, 8, 11 defining a seating member for the wire, a means for keeping the mounting hook rotationally stationary relative to the wire in the form of the channel 14 in the second portion of the mounting hook and a means for keeping the mounting hook attached to the seat frame in the form of the third portion 13." The Examiner has suggested that the first portion in the Delahousse reference is composed of parts 10, 8, and 11. The combination of these parts clearly forms a channel in the first portion. As such, the wire seating member taught in this reference is a channel.

The Examiner has also indicated that the Delahousse reference teaches a means for keeping the mounting hook rotationally stationary in the form of channel 14. This channel is located on the same side of the second portion as the hooking surface.

### **Present Invention**

The present invention is structurally different than that disclosed in the Delahousse reference. First, the wire seating member of the first portion is a shaft extending longitudinally through the first portion comprising a through hole rather than the channel



suggested in the Delahousse reference. Second, the channel existing in the second portion of the present invention is located on the opposite side of the hooking surface. As indicated earlier, the channel present in the second portion of the Delahousse reference is located on the same side as the hooking surface.

**A. Claim 1**

Applicant suggests that Delahousse does not disclose or otherwise teach the wire seating member as being a longitudinally extending shaft comprising a through hole. Instead, Delahousse teaches the wire seating member to be a channel. Applicant submits that Claim No. 1, as amended, should be allowed over the prior art of record, including the Delahousse reference.

**B. Claim 10**

Applicant suggests that the Delahousse reference does not disclose or otherwise teach a means for keeping the mounting hook rotationally stationary relative to the wire in the form of a channel located on the opposite side of the hooking surface. The hooking surface is the surface on the second portion at which the mounting hook will engage the object to which it is attached. The channel 14 in the Delahousse reference that is used for keeping the mounting hook rotationally stationary relative to the wire is clearly on the same side of the second portion as the hooking surface. In the present invention, the hooking surface and the channel are on opposite sides of the second portion. Considering this structural difference, Applicant suggests that Claim No. 10, as amended, should be allowed over the prior art of record, including the Delahousse reference.